

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Kevin Dwayne Carswell

Docket No. 4:17-CR-35-5FL

Petition for Action on Supervised Release

COMES NOW Jonathan A. Holmes, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kevin Dwayne Carswell, who, upon an earlier plea of guilty to 21 U.S.C. §§ 846 and 841 (b)(1)(C), Conspiracy to Distribute and Possess With Intent to Distribute a Quantity of Heroin, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on May 23, 2018, to the custody of the Bureau of Prisons for a term of 37 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Kevin Dwayne Carswell was released from custody on April 1, 2020, at which time the term of supervised release commenced.

On April 16, 2020, a violation report was submitted because the defendant tested positive for marijuana and cocaine. The court allowed him to continue on supervision and engage in substance abuse treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 29, 2020, the defendant disclosed to this officer, he used marijuana on May 10, 2020. A substance abuse admission form was signed on June 6, 2020. Due to this being the defendant's second instance of using illegal substances, it is recommended he complete 30 days of location monitoring and continue in substance abuse treatment.

When this officer went to the defendant's residence on June 6, 2020, for him to sign the admission form, the defendant disclosed he had a fever. Proper social distancing was utilized in getting the admission form signed. It is requested, for officer safety, to allow the defendant a period of 14 days to self-quarantine, with no exhibited symptoms, prior to being placed on location monitoring.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Maurice J. Foy
Maurice J. Foy
Supervising U.S. Probation Officer

/s/ Jonathan A. Holmes
Jonathan A. Holmes
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 9196104087
Executed On: June 8, 2020

ORDER OF THE COURT

Considered and ordered this 9th day of June, 2020, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge